

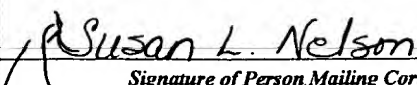
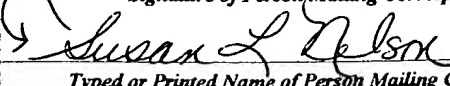


AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. DE919990052US1	
Applicant(s): Frank Leymann					
Application No. 09/712,629	Filing Date 11/14/2000	Examiner Joseph E. Avellino	Customer No. 33558	Group Art Unit 2143	Confirmation No. 3744
Invention: IMPROVING AVAILABILITY AND SCALABILITY IN CLUSTERED APPLICATION SERVERS					
<div style="float: left; width: 30%;">  </div> <div style="float: right; width: 30%; text-align: right;"> RECEIVED OCT 22 2004 Technology Center 2100 </div> <div style="clear: both;"></div>					
COMMISSIONER FOR PATENTS:					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	37 -	48 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	3 -	3 =	0 x	\$88.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0463 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 _____ Signature			Dated: October 8, 2004		
cc:			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <div style="text-align: center;"> 10-15-2004 (Date) </div> <div style="text-align: center; margin-top: 10px;">  Signature of Person Mailing Correspondence </div> <div style="text-align: center; margin-top: 10px;">  Typed or Printed Name of Person Mailing Correspondence </div>		

2143
41CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 15, 2004.

Susan L. Nelson

10/15/04
Date of Signature

IN THE U.S. PATENT & TRADEMARK OFFICE

RECEIVED

OCT 22 2004

Technology Center 2100

Applicant: Frank Leymann : Confirmation No. 3744
Serial No. 09/712,629 : GROUP ART UNIT 2143
Filed: 11/14/2000 : Examiner Joseph E. Avellino
Title: IMPROVING AVAILABILITY AND : October 8, 2004
SCALABILITY IN CLUSTERED : Floyd A. Gonzalez
APPLICATION SERVERS : Intellectual Property Law
: 2455 South Road, P386
: Poughkeepsie, NY 12601

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Office Action mailed 07/27/2004 having been received,
amend the subject application as follows:

Amendments to the Claims are reflected in the listing of claims
which begins on page 2 of this paper.

Remarks/Arguments begin on page 21 of this paper.